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02/10/2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Rainer Endermann et al.
Serial No.: 10/775,888
Filed: February 10, 2004
For: TREATMENT OF BACTERIAL DISEASES OF THE
RESPIRATORY ORGANS
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Examiner: Shengjun Wang

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF ELECTRONIC FILING UNDER 37 C.F.R. §1.8

Date of Electronic Submission: January 24, 2009

I hereby certify that this correspondence is being transmitted via the U.S.P.T.O.'s Patent Electronic Business Center in accordance with 37 C.F.R. § 1.6(a)(4) on the date indicated above.

/Gabriel J. McCool/

Signature of Person Transmitting Paper

RESPONSE TO FINAL OFFICE ACTION PURSUANT TO 37 C.F.R. § 1.116

Dear Sir:

Applicant submits this paper in response to the final Office Action mailed on July 24, 2008, which set a three-month shortened statutory period for reply ending on October 24, 2008. Pursuant to 37 C.F.R. § 1.136, a petition for a three-month extension of time is requested and submitted herewith by separate petition, which requests a time extension up to and including January 24, 2009. Applicants authorize the Commissioner to charge any additional fees occasioned by this paper, or credit any overpayment of such fees, to Deposit Account No. 04-1105.

Amendments to the claims are reflected beginning at page 2.

Remarks/arguments begin on page 6 of this paper.